IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 19317 of 2006
Date of decision: 07.12. 2006

Hardip Singh alias Shammi and another .....Petitioner

Versus

The Commissioner and Ors. .....Respondents

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA
HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Mr. Bhag Singh, Advocate
for the petitioner

ASHUTOSH MOHUNTA, J (Oral)

The petitioner has impugned the order dated 18.04.2006 (Annexure P-4), by which his application for grant of stay, has been declined by the Commissioner, Ambala Division, Ambala.

A perusal of the order passed by the Collector shows that the petitioner is in illegal occupation of the land which belongs to the Gram Panchayat. Under these circumstances, the stay was declined by the Commissioner.

Learned counsel for the petitioner states that now the Police help has been sought by the Gram Panchayat for evicting the petitioner.

As the petitioner did not have any stay in his favour, therefore, the petitioner can be evicted from the land in dispute. However, in case the petitioner succeeds before the Commissioner, even he is dispossessed, he would be given back the possession of the land in dispute.

No merit.

Dismissed.

(ASHUTOSH MOHUNTA)
JUDGE

(NIRMAL YADAV)
JUDGE

December 07, 2006
mohan